



राजपत्र, हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, शनिवार, 30 मार्च, 1985/9 चैत्र, 1907

हिमाचल प्रदेश सरकार

EXCISE AND TAXATION DEPARTMENT

NOTIFICATIONS

Shimla-3, the 26th March, 1985

No. 7-56/84-EXN.—In exercise of the powers conferred by section 59 of the Punjab Excise Act, 1914 (1 of 1914), as in force in the areas comprised in Himachal Pradesh immediately before 1st November, 1966 and by virtue of the powers of the Financial Commissioner conferred on me under section 9 of the said Act, read with Himachal Pradesh (Excise Powers and Appeal) Orders, 1965, I, Hem Chand, Excise and Taxation Commissioner, Himachal Pradesh, hereby direct that the following amendments shall be made in the Punjab Liquor License Rules, 1932, as applied to the aforesaid area, with effect from 1st April, 1985, in partial modification of Notification No. 7-51/82-EXN-Vol-1 dated the 30th March, 1983:

AMENDMENTS

(1) In the said rules sub-rule (21) of rule 5.38 shall be substituted as under:—

- (21) (i) Successful bidders shall deposit by way of security an amount equivalent to 15% of the annual license fee. He shall have to pay a sum equal to 5% of the total amount of the bid money in cash at the time of the fall of the hammer and the remaining amount of 10% within a period of 10 days from the date of auctions or before 31st March, whichever is earlier. 90% amount of security shall be adjusted against the instalments of license fee payable by him.

After adjustment of 90% amount of security towards the payment of annual license fee, the remaining amount of 10% security shall be refundable to the licensee after adjusting therefrom any kind of arrears due to the Government from him after the close of the financial year.

- (ii) If any person whose bid had been accepted at the auctions, fails to make deposit of the amount of security or if he refuses to accept the license, the license may be resold by public auction or private contract by the competent authority and any deficiency in license fee and all expenses of such resale or attempted resale shall be recoverable from the said person in the same manner as laid down in section 60 of the Punjab Excise Act (1 of 1914).
- (iii) The successful bidders when granted a license shall pay by the 15th of the month in which he begins his business under his license and by the 15th of every subsequent month the instalment equal to 1/10th of the license fee after adjusting 90% of the security till the entire license fee has been realised. In the event of his failure to pay instalment or any part thereof by the due date, the Asstt. Excise and Taxation Commissioner/Excise and Taxation Officer, Incharge of the District, may authorise the licensee to deposit the amount of instalment or part thereof upto the last day of the month after charging interest @15% per annum from the date of default of the payment of the license fee, i.e. from the 15th of the month onward till the default continued. The date of payment shall be included in the period for which the interest is to be charged.

If the licensee fails to deposit the instalment or instalment plus interest, as the case may be, upto the last day of the month, the vend would cease to be in operation on the 1st day of the following month. The Asstt. Excise and Taxation Commissioner/Excise & Taxation Officer, Incharge of the District or any other Officer authorised by him would ordinarily seal the vend on the first day of the following month. This shall be in addition to the penalty provisions that may be brought into operation against the licensee under the Punjab Excise Act, 1914 and rules framed thereunder.

Shimla-3, the 26th March, 1985

No. 7-56/84-EXN.—In exercise of the powers conferred by section 59 of the Punjab Excise Act, 1914 (1 of 1914), as in force in the territories transferred to Himachal Pradesh under section 5 of the Punjab Re-organisation Act, 1966 and by virtue of the powers of the Financial Commissioner conferred on me under section 9 of the said Act; read with the Punjab Excise (Powers and Appeal) Orders, 1956, I, Hem Chand, Excise and Taxation Commissioner, Himachal Pradesh, hereby direct that the following amendments shall be made in the Punjab Liquor License Rules, 1956, as in force in the aforesaid territories, with effect from 1st April, 1985, in partial modification of Notification No. EXN-7-52/83-EXN-Vol-II, dated the 30th March, 1983:

AMENDMENTS

(1) Sub-rule (23) of rule 36 of the said rules shall be substituted as under:—

“(23) (i) Successful bidders shall deposit by way of security an amount equivalent to 15% of the annual license fee. He shall have to pay a sum equal to 5% of the total amount of the bid money in cash at the time of the fall of the hammer and the remaining amount of 10% within a period of 10 days from the date of auctions or before 31st March, whichever is earlier. 90% amount of security shall be adjusted against the instalments of license fee payable by him.

After adjustment of 90% amount of security towards the payment of annual license fee, the remaining amount of 10% security shall be refundable to the licensee after adjusting therefrom any kind of arrears due to the Government from him after the close of the financial year.

(ii) If any person whose bid had been accepted at the auctions, fails to make deposit of the amount of security or if he refuses to accept the license, the license may be resold by public auction or private contract by the competent authority and any deficiency in license fee and all expenses of such resale or attempted resale shall be recoverable from the said person in the same manner as laid down in section 60 of the Punjab Excise Act (1 of 1914).

(iii) The successful bidder when granted a license shall pay by the 15th of the month in which he begins his business under his license and by the 15th of every subsequent month the instalment equal to 1/10th of the license fee after adjusting 90% of the security till the entire license fee has been realised. In the event of his failure to pay instalment or any part thereof by the due date, the Asstt. Excise & Taxation Commissioner/Excise & Taxation Officer, Incharge of the District, may authorise the licensee to deposit the amount of instalment or part thereof upto the last day of the month after charging interest @15% per annum from the date of default of the payment of the license fee, i.e. from the 15th of the month onward till the default continued. The date of payment shall be included in the period for which the interest is to be charged.

If the licensee fails to deposit the instalment or instalment plus interest, as the case may be, upto the last day of the month, the vend would cease to be in operation on the 1st day of the following month. The Asstt. Excise & Taxation Commissioner/Excise and Taxation Officer, Incharge of the District or any other Officer authorised by him would ordinarily seal the vend on the first day of the following month. This shall be in addition to the penalty provisions that may be brought into operation against the licensee under the Punjab Excise Act, 1914 and rules framed thereunder.

Shimla-3, the 26th March, 1985

No. 7-56/84-EXN.—In exercise of the powers conferred by clause (f) (iii) of section 59 of the Punjab Excise Act, 1914 (1 of 1914), as applicable to the areas comprised in Himachal Pradesh immediately before 1st November, 1966 and by virtue of the powers of the Financial Commissioner conferred on me under section 9 of the said Act, read with the Himachal Pradesh (Excise Powers and Appeal) Order, 1965, I, Hem Chand, Excise and Taxation Commissioner, Himachal Pradesh, hereby fix the minimum retail sale prices of Indian Made Foreign Spirit and Country Liquor as under with effect from 1st April, 1985, in supersession of Notification No. 7-52/83-EXN-II-6149 dated the 30th March, 1984:

Minimum fixed price of Country Spirit:

| | 50° proof strength | 60° proof strength |
|--|--------------------|--------------------|
| (a) Quart (750 ml.) | ... | 18.00 |
| (b) Pint (375 ml.) | ... | 10.00 |
| (c) Nip (180 ml.) | ... | 6.00 |
| Minimum fixed price of Indian Made Foreign Spirit: | | |
| (a) Quart (750 ml.) | ... | Rs. 40/- |
| (b) Pint (375 ml.) | ... | Rs. 22/- |
| (c) Nip (180 ml.) | ... | Rs. 12/- |

Provided that if any licensee contravenes this provision more than twice, he shall render his license liable for cancellation and re-auction of vend at his own risk. This shall be in addition to the penalty provision that may be brought into operation against the said licensee under the Punjab Excise Act, 1914 and rules framed thereunder.

Shimla-3, the 26th March, 1985

No. 7-56/84-EXN.—In exercise of the powers conferred by clause (f) (iii) of section 59 of the Punjab Excise Act, 1914 (1 of 1914) as in force in the territories transferred to Himachal Pradesh under section 5 of the Punjab Re-organisation Act, 1966 and by virtue of the powers of the Financial Commissioner, conferred on me under section 9 of the said Act, read with Punjab Excise (Powers and Appeal) Orders, 1956, I, Hem Chand, Excise and Taxation Commissioner, Himachal Pradesh, hereby fix the minimum retail sale prices of Indian Made Foreign Spirit and Country Liquor as under with effect from 1st April, 1985, in supersession of Notification No. 7-52/83-EXN-II-618 dated the 30th March, 1984.

Minimum fixed price of Country Spirit:

| | 50° proof strength | 60° proof strength |
|--|--------------------|--------------------|
| (a) Quart (750 ml.) | ... | 18.00 |
| (b) Pint (375 ml.) | ... | 10.00 |
| (c) Nip (180 ml.) | ... | 6.00 |
| Minimum fixed price of Indian Made Foreign Spirit: | | |
| (a) Quart (750 ml.) | ... | Rs. 40/- |
| (b) Pint (375 ml.) | ... | Rs. 22/- |
| (c) Nip (180 ml.) | ... | Rs. 12/- |

Provided that if any licensee contravenes this provision more than twice, he shall render his license liable for cancellation and re-auction of vend at his own risk. This shall be in addition to the penalty provision that may be brought into operation against the said licensee under the Punjab Excise Act, 1914 and rules framed thereunder.

Shimla-3, the 26th March, 1985

No. 7-56/84-EXN.—In exercise of the powers conferred by section 59 of the Punjab Excise Act, 1914 (1 of 1914), as in force in the areas comprised in Himachal Pradesh immediately before 1st November, 1966 and by virtue of the powers of the Financial Commissioner conferred on me under section 9 of the said Act, read with Himachal Pradesh (Excise Powers and Appeal) Orders, 1965, I, Hem

Chand, Excise and Taxation Commissioner, Himachal Pradesh, hereby direct that the following amendment will be made in the Punjab Liquor License Rules, 1932, as applied to the aforesaid areas, from 1st April, 1985, in supersession of all previous Notifications/directions/instructions issued in this behalf :

AMENDMENT

1. In sub-rule (10) of rule 5.39 the following entries will be made to substitute the existing entries after the line, "the licensed hours shall be as follows", and under the heading "Rural areas" and "Urban areas" :

(1) Rural area: all licenses:

From 1st April to 31st October
From 1st November to 31st March

11 A.M. to 9 P.M.
11 A.M. to 9 P.M.

(2) Urban area:

(a) Licences in Forms L-2, L-10, L-14 for the vend of Foreign Liquor, Beer and Country Liquor by retail—

From 1st April to 31st October
From 1st November to 31st March

11 A.M. to 10 P.M.
11 A. M. to 9 P.M.

Shimla-3, the 26th March, 1985

No. 7-56/84-EXN.—In exercise of the powers conferred by section 59 of the Punjab Excise Act, 1914 (1 of 1914) as in force in the territories transferred to Himachal Pradesh under section 5 of the Punjab Re-organisation Act, 1966 and by virtue of the powers of the Financial Commissioner conferred on me under section 9 of the said Act read with the Punjab Excise (Powers and Appeal) Orders, 1956, I, Hem Chand, Excise & Taxation Commissioner, Himachal Pradesh, hereby direct that the following amendment will be made in the Punjab Liquor License Rules, 1956, as in force in the aforesaid territories, from 1st April, 1985, in supersession of all previous Notifications/directions/instructions issued in this behalf:

AMENDMENT

1. In sub-rule (9) of rule 37 the following entries will be made to substitute the existing entries after the line, "the licensed hours shall be as follows", and under the heading "Rural areas" and "Urban areas".

(1) Rural area: all licenses:

From 1st April to 31st October
From 1st November to 31st March

11 A.M. to 9 P.M.
11 A.M. to 9 P.M.

(2) Urban area :

(a) Licenses in Forms L-2, L-10, L-14 for the vend of Foreign Liquor, Beer and Country Liquor by retail—

From 1st April to 31st October
From 1st November to 31st March

11 A.M. to 10 P.M.
11 A.M. to 9 P.M.

Shimla-3, the 26th March, 1985

No. 7-56/84-EXN.—In exercise of the powers conferred by section 59 of the Punjab Excise Act, 1914 (I of 1914), as in force in the areas comprised in Himachal Pradesh immediately before 1st November, 1966, and by virtue of the powers of the Financial Commissioner conferred on me under section 9 of the said Act, read with Himachal Pradesh Excise (Powers and Appeal) Orders, 1965, I, Hem Chand, Excise and Taxation Commissioner, Himachal Pradesh, hereby direct that the following amendments shall be made in the Punjab Liquor License Rules, 1932, as applicable to the aforesaid areas, with effect from 1st April, 1985, in partial modification of Notification No. 7-52/83-EXN-Vol-II-6021, dated the 30th March, 1984:

AMENDMENTS

1. For sub-rule (3) of rule 5.27-A of the said rules, the following shall be substituted, namely:—

“(3) (i) Licenses in Form L-3, L-4 and L-5 for the vend of foreign liquor in a Hotel, Restaurant, Dak-Bungalow shall be granted on the fixed fee, in addition to the fees assessed according to the scale prescribed under rule 31.

For Hotels, Restaurants, Dak-Bungalows in towns, villages, the following shall be the rate of fixed fees:—

- | | |
|---|---------------------|
| (a) With population of the place upto 10,000 | ..Rs. 12,000/-P.A. |
| (b) With population of the place above 10,000 and upto 15,000 | ..Rs. 15,000/- P.A. |
| (c) With population of the place above 15,000 | ..Rs. 22,500/- P.A. |

(3) (ii) Licenses in Form L-4-A for retail vend of Beer in a Restaurant shall be granted on the fixed fee, in addition to the fees assessed according to the scale prescribed under rule 31.

The rate of fixed fee for licenses in form L-4-A shall be as under:—

- | | |
|---|------------------------|
| (a) With population of the place upto 10,000 | Rs. 8,000 per annum. |
| (b) With population of the place above 10,000 & upto 15,000 | Rs. 10,000 per annum. |
| (c) With population of the place above 15,000 | Rs. 15,000 per annum.” |

2. After second proviso of rule 5.31 of the said rules the following proviso shall be added, namely:—

“Provided that licensees holding license in Form L-3, L-4, L-4-A, L-5, L-12-A, L-12-B and L-12-C will take supplies from L-2 licensees, in respective locality, approved by the Joint Excise and Taxation Commissioner/Deputy Excise and Taxation Commissioner of the zone concerned for this purpose and they will not be required to pay assessed fee. In case the Asstt. Excise & Taxation Commissioner/Excise & Taxation Officer, Incharge of the District is satisfied that the supplies are not available with L-2 licensees, permits/passes will be issued on payment of assessed fee for supplies to be made available to them from L-1 licensees.

In case any licensee holding license in form L-3, L-4, L-5 and L-4-A indulges in any malpractice/practices, he shall render his license liable for cancellation. This shall be in addition to the penalty provision that may be brought into operation against the said licensee under the Punjab Excise Act, 1914 and the rules framed thereunder.”

Shimla-3, the 26th March, 1985

No. 7-56/84-EXN.—In exercise of the powers conferred by section 59 of the Punjab Excise Act, 1914 (1 of 1914) as in force in the areas transferred to Himachal Pradesh under section 5 of the Punjab Re-organisation Act, 1966, and by virtue of the powers of the Financial Commissioner conferred on me under section 9 of the said Act, read with Punjab Excise (Powers and Appeal) Orders, 1956, I, Hem Chand, Excise and Taxation Commissioner, Himachal Pradesh, hereby direct that the following amendments shall be made in the Punjab Liquor License Rules, 1956, as in force in the aforesaid areas, with effect from 1st April, 1985, in partial modification of Notification No. 7-52/83-EXN-Vol-II-6053, dated the 30th March, 1984:

AMENDMENTS

1. For sub-rule (3) of rule 27 of the said Rules, the following shall be substituted, namely:—

“(3) (i) Licenses in Form L-3, L-4 and L-5 for the vend of foreign liquor in a Hotel, Restaurant, Dak-Bungalow shall be granted on the fixed fee, in addition to the fees assessed according to the scale prescribed under rule 31.

For Hotels, Restaurants, Dak-Bungalows in towns, villages, the following shall be the rate of fixed fees:—

| | |
|--|----------------------------|
| (a) With population of the place upto 10,000 | ... Rs. 12,000/-per annum. |
| (b) With population above 10,000 | ... Rs. 15,000/-per annum. |
| (c) With population above 15,000 | ... Rs. 22,500/-per annum. |

(3) (ii) Licenses in Form L-4-A for retail vend of Beer in a Restaurant shall be granted on the fixed fee, in addition to the fees assessed according to the scale prescribed under rule 31.

The rate of fixed fee for licenses in Form L-4-A shall be as under:—

| | |
|--|------------------------|
| (a) With population upto 10,000 | Rs. 8,000 per annum. |
| (b) With population above 10,000 and upto 15,000 | Rs. 10,000 per annum. |
| (c) With population above 15,000 | Rs. 15,000 per annum.” |

2. After second proviso of rule 5.31 of the said rules the following proviso shall be added, namely:—

“Provided that licensees, holding licenses in Form L-3, L-4, L-4-A, L-5, L-12-A, L-12-B and L-12-C will take supplies from L-2 licensees, in respective locality, approved by the Joint Excise and Taxation Commissioner/Deputy Excise and Taxation Commissioner of the Zone concerned for this purpose and they will not be required to pay assessed fee. In case the Asstt. Excise & Taxation Commissioner/Excise & Taxation Officer, Incharge of the District is satisfied that the supplies are not available with L-2 licensees, permits/passes will be issued on payment of assessed fee for supplies to be made available to them from L-1 licensees.

In case any licensee holding license in Form L-3, L-4, L-5 and L-4-A indulges in any malpractice/practices, he shall render his licence liable for cancellation. This shall be in addition to the penalty provision that may be brought into operation against the said licensee under the Punjab Excise Act, 1914 and the rules framed thereunder.”

HEM CHAND,
Excise & Taxation Commissioner.

Shimla-171002, the 29th March, 1985

No. EXN. F (1)-4/78.—In exercise of the powers conferred by section 5 & 58 of the Punjab Excise Act, 1914 (1 of 1914) as in force in the territories transferred to Himachal Pradesh under section 5 of the Punjab Re-organisation Act, 1966, the Governor of Himachal Pradesh is pleased to order the following amendments in the Punjab Intoxicants License and Sale Orders, 1956, as amended from time to time and as applicable in the above said territories, with effect from 1st April, 1985:—

AMENDMENTS

For the existing scale appearing below para (b) of proviso to item No. (1) of order 1 of the Punjab Intoxicants License and Sale Orders, 1956 the following scale shall be substituted:—

| <i>Quantity</i> | <i>Permit fee</i> |
|--|-------------------|
| "Exceeding six bottles of IMFS of 750 ml. each and 12 bottles of 650 ml. each of Beer but not exceeding 12 bottles of IMFS and 36 bottles of Beer. | Rupees fifty." |

Shimla-171002, the 29th March, 1985

No. EXN. F (1)-4/76.—In supersession of this Department Notification of even number, dated 30-3-1984 and in exercise of the powers conferred by sections 5 and 58 of the Punjab Excise Act, 1914 (1 of 1914), as applicable in the territories comprised in Himachal Pradesh immediately before 1st November, 1966 (hereinafter called the "said area"), the Governor, Himachal Pradesh is pleased to make the following amendments in the Himachal Pradesh Intoxicants License and Sale Orders, 1965 notified *vide* this Department Notification No. 1-17/64 E&T, dated 2-9-1965, with effect from 1-4-1985:—

AMENDMENTS

For the existing order 2 of the Himachal Pradesh Intoxicants License and Sale Orders, 1965, the following shall be substituted:—

"2-A. Limit of retail possession:

The following are the maximum quantities of intoxicants which can be sold in each transaction in retail sale under the Punjab Excise Act, 1914, in the said area:—

| | |
|--|--|
| (1) Foreign spirit | Two bottles each of the capacity of 750 ml. |
| (2) Beer whether imported or made in India | Twelve bottles each of the capacity of 650 ml. |
| (3) Cider (liquor manufactured by fermentation of juice of any fruit) whether imported or made in India. | Six quart bottles. |
| (4) Country liquor | Two bottles each of the capacity of 750 ml. |
| (5) Country fermented liquor | Six quart bottles. |
| (6) Bhang | 100 grams. |
| (7) Rectified spirit | One Pint of 375 ml. |
| (8) Denatured spirit | One bottle of 650 ml. |

Note.—The limit of transportation mentioned at item No. (1) and (2) above shall be alternative with the limit mentioned at item No. (4):

Provided that a person may, for *bonafide* consumption by him, the members of his family, or his guests, purchase, transport and possess foreign spirit upto 12 bottles of the capacity of 750 ml. each inclusive of imported spirit and 36 bottles of the capacity of 650 ml. each of Beer on the authority of a permit in Form L-50 granted by the Excise Officer, holding the charge of the District, on payment of a permit fee according to the following scale for a financial year or part thereof:—

| Quantity | Permit fee |
|---|--------------------|
| Exceeding six bottles of IMFS of 750 ml. each and 12 bottles of 650 ml. each of Beer but not exceeding 12 bottles of IMFS and 36 bottles of Beer. | Fifty rupees only. |

Note.—The possession limit by one family living in a separate and District premises will be six bottles of IMFS of 750 ml. each and 24 bottles of Beer of 650 ml. each at one time. Imported liquor will be considered as part of stock of IMFS and bottles of foreign liquor which may be of one litre or two litres will be converted, for this purpose, to the limits prescribed for IMFS in 750 ml. bottles:

Provided further that in case of possession and purchase of denatured spirit for industrial purposes, a permit may be obtained from the Excise Officers of the 1st Class as declared by the State Government."

Shimla-17 1002, the 29th March, 1985

No. EXN. F (1)-4/78.—In exercise of the powers conferred by sections 31 and 32 of the Punjab Excise Act, 1914 (1 of 1914) as in force in the territories transferred to Himachal Pradesh under section 5 of Punjab Re-organisation Act, 1966, the Governor, Himachal Pradesh is pleased to order the following further amendments in the Punjab Excise Fiscal Orders, 1932 (hereinafter called the "said orders") as amended from time to time in their application to the aforesaid territories, with effect from 1st April, 1985:—

AMENDMENT

For item (3) in the table given in order 1 of the said orders, the following item shall be substituted, namely:—

"(3) All other sorts of spirits (Indian made foreign spirits) Rs. 22/- per Pls." except denatured spirit.

Shimla-171002, the 29th March, 1985

No. EXN. F (1)-4/78.—In exercise of the powers conferred by section 31 and 32 of the Punjab Excise Act, 1914 (1 of 1914) as applicable in the territories comprised in Himachal Pradesh immediately before 1st November, 1966, the Governor of Himachal Pradesh, is pleased to order the following further amendments in the Government of Himachal Pradesh (Excise and Taxation Department) Notification No. 1-17/64-E&T, dated the 28th October, 1965, published in Himachal Pradesh Rajpatra, dated 31st March, 1984, as amended from time to time, with effect from 1st April, 1985, namely:—

AMENDMENTS

In the said Notification in para 1 for existing item 3, the following item shall be substituted, namely:—

"Item No. 3: All other sorts of spirits (Indian made foreign spirit) except denatured spirit. Rs. 22/- per Pls."

Sd/-
Secretary, (E & T) to the
Government of Himachal Pradesh.



राजपत्र, हिमाचल प्रदेश (असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, मंगलवार, 2 अप्रैल, 1985/12 चैत्र, 1907

हिमाचल प्रदेश सरकार

HIMACHAL PRADESH STATE LOTTERIES

'HIMALAYAN WEEKLY'

Result of 235th Draw held at Shimla on 25-3-1985

First Prize: (3) Rs. 1,00,000.00 each (One prize in each series):

| | | |
|--------|--------|--------|
| HL | HM | HN |
| 873566 | 533891 | 806625 |

Second Prize: (3) Rs. 15,000.00 each (One prize in each series):

| | | |
|--------|--------|--------|
| HL | HM | HN |
| 588907 | 691963 | 129997 |

Third Prize: (240) Rs. 500.00 each (All the ticket numbers ending with the last five digits in all series):

| | | | | |
|-------|-------|-------|-------|-------|
| 58546 | 12530 | 91668 | 06876 | 65450 |
| 54553 | 38760 | 38434 | 80326 | 71017 |

Fourth Prize: (2400) Rs. 50.00 each (All the ticket numbers ending with the last four digits in all series):

| | | | | |
|------|------|------|------|------|
| 3706 | 1474 | 7681 | 5645 | 8614 |
| 0751 | 0630 | 6593 | 3737 | 0157 |